

### REMARKS

Claims 1-36 are pending, with claims 1, 22, and 30 being independent. Claim 37 has been cancelled. Claims 33-36 have been amended. No new matter has been introduced.

#### Claim Rejections—35 U.S.C. § 112

Claims 1-36 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Office Action alleges that the entities which perform the functions recited in claims 1-36 must be positively claimed in order to defined the proper scope of the claims. This rejection does not appear to be properly grounded in 35 U.S.C. § 112, second paragraph.

The primary purpose of the requirement of definiteness of claim language is to ensure that the scope of the claims is clear so the public is informed of the boundaries of what constitutes infringement of the patent. *See* MPEP § 2173. However, the breadth of the claim is not to be equated with indefiniteness. *See* MPEP § 2173.04 (*citing In re Miller*, 169 U.S.P.Q. 597, 441 F.2d 689 (C.C.P.A. 1971)). Because the scope of claims 1-36 is clear, applicant respectfully requests reconsideration and withdrawal of this rejection of claims 1-36.

#### Claim Rejections—35 U.S.C. § 103

Claims 1, 22, and 30 have been rejected under 35 U.S.C. § 103 as being unpatentable over Steely (U.S. Patent No. 5,829,051) in view of Liu (U.S. Patent No. 7,096,493). Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 22, and 30 because neither Steely, Liu, nor any proper combination of these references describes or suggests forwarding a previously compressed version of the requested file that has been stored at an

intermediate node when the digital signature is found in the index of signatures, as recited in independent claim 1.

Steely discloses a cache coupled between a memory and a microprocessor. *See* Steely at Abstract. The cache (22) receives an address from the microprocessor (12) to access the memory (28). *See* Steely at col. 3, lines 52-56. The address includes an upper address portion and a lower address portion. *See* Steely at col. 3, lines 56-58. The lower address portion is used to provide a cache index for accessing a cache data store (34). *See* Steely at col. 3, lines 58-60. The cache data store (34) is used for temporary storage of memory data. *See* Steely at col. 4, lines 22-23.

Steely does not describe or suggest compressing a file or storing a previously compressed file in an intermediate node. Therefore, Steely does not describe or suggest forwarding a previously compressed version of the requested file that has been stored at an intermediate node when the digital signature is found in the index of signatures, as recited in independent claim 1.

Liu, which is cited as disclosing information about a particular file being indexed according to a hash value computed from the particular file (*see* Liu at col. 2, lines 30-42), does not cure the failure of Steely to describe or suggest forwarding a previously compressed version of the requested file that has been stored at an intermediate node when the digital signature is found in the index of signatures, as recited in independent claim 1. Nor does the Office Action contend that Liu does so. *See* Office Action mailed January 25, 2008 at page 3.

Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 1.

Independent claim 22 recites a system for improving performance of a network system corresponding to that of independent claim 1 and amended independent claim 30 recites a computer program on a tangible computer-readable medium having one or more code segments that, when executed, cause a computer to do the same. Accordingly, for the reasons noted above with respect to independent claim 1, applicant requests withdrawal of the rejection of independent claims 22 and 30.

Conclusion

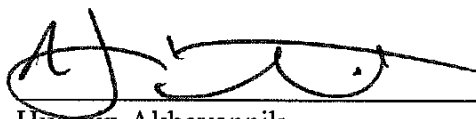
Applicant respectfully submits that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fee is believed to be due in connection with the filing of this paper on the Electronic Filing System (EFS). In the event that any fees are due, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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